

House Bill 368 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164<sup>th</sup>, Parrish of the 156<sup>th</sup>, Carter of the 159<sup>th</sup>, Harden of the 147<sup>th</sup>, and Parham of the 141<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedule II, III, and IV controlled substances; to change certain provisions relating to the definition of "dangerous drug"; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended in Code Section 16-13-26, relating to Schedule II controlled substances, as follows:

"16-13-26.

The controlled substances listed in this Code section are included in Schedule II:

(1) Any of the following substances, or salts thereof, except those narcotic drugs specifically exempted or listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(A) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding naloxone hydrochloride, but including the following:

(i) Raw opium;

(ii) Opium extracts;

(iii) Opium fluid extracts;

(iv) Powdered opium;

(v) Granulated opium;

(vi) Tincture of opium;

(vii) Codeine;

(viii) Ethylmorphine;

- 28 (ix) Hydrocodone;  
29 (x) Hydromorphone;  
30 (xi) Metopon;  
31 (xii) Morphine;  
32 (xiii) Oripavine;  
33 ~~(xiii)~~(xiv) Oxycodone;  
34 ~~(xiv)~~(xv) Oxymorphone;  
35 ~~(xv)~~(xvi) Thebaine;  
36 (B) Any salt, compound, isomer, derivative, or preparation thereof which is chemically  
37 equivalent or identical with any of the substances referred to in subparagraph (A) of this  
38 paragraph, except that these substances shall not include the isoquinoline alkaloids of  
39 opium;  
40 (C) Opium poppy and poppy straw;  
41 (D) Cocaine, coca leaves, any salt, compound, derivative, stereoisomers of cocaine, or  
42 preparation of coca leaves, and any salt, compound, derivative, stereoisomers of  
43 cocaine, or preparation thereof which is chemically equivalent or identical with any of  
44 these substances, but not including decocainized coca leaves or extractions which do  
45 not contain cocaine or ecgonine;  
46 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts  
47 of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible  
48 within the specific chemical designation:  
49 (A) Alfentanil;  
50 (A.1) Alphaprodine;  
51 (B) Anileridine;  
52 (C) Bezitramide;  
53 (D) Dihydrocodeine;  
54 (E) Diphenoxylate;  
55 (F) Fentanyl;  
56 (G) Isomethadone;  
57 (G.5) Levo-alphacetylmethadol (some other names: levomethadyl acetate, LAAM);  
58 (H) Levomethorphan;  
59 (I) Levorphanol;  
60 (J) Methazocine;  
61 (K) Methadone;  
62 (L) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;  
63 (M) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic  
64 acid;

- (N) Pethidine (meperidine);  
(O) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;  
(P) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
(Q) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
(R) Phenazocine;  
(S) Piminodine;  
(T) Racemethorphan;  
(U) Racemorphan;  
(U.1) Remifentanyl;  
(V) Sufentanyl;  
(W) 4-anilino-N-phenethyl-4-piperidine (ANPP);

(3) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances included as having a stimulant effect on the central nervous system:

- (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;  
(B) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;  
(C) Phenmetrazine and its salts;  
(D) Methylphenidate, including its salts, isomers, and salts of isomers;  
(E) Carfentanyl;  
(F) Nabilone;  
(G) Lisdexamfetamine;

(4) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any of the following substances included as having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (A) Amobarbital;  
(A.5) Glutethimide;  
(B) Secobarbital;  
(C) Pentobarbital."

## SECTION 2.

Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled substances, by adding new subparagraphs to paragraph (6) to read as follows:

"(A.5) Boldione (Androsta-1,4-diene-3,17-dione);"

"(BB) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);"

101 "(D.1) Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-17-ol, madol);"

## 102 SECTION 3.

103 Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled  
104 substances, by adding a new paragraph to subsection (a) to read as follows:

105           "(16.15) Indiplon;"

## 106 SECTION 4.

107 Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled  
108 substances, by deleting paragraph (11.5) of subsection (a), which reads as follows:

109 "(11.5) Eszopiclone;"

## 110 SECTION 5.

111 Said chapter is further amended in Code Section 16-13-71, relating to the definition of  
112 dangerous drug, by adding new paragraphs to subsection (b) to read as follows:

113           "(26.5) Alvimopan;"

114           "(82.7) Bendamustine;"

115           "(160) Certolizumab;"

116           "(196.5) Clevidipine;"

117      "(240.6) Darifenacin;"

118        "(256.5) Desvenlafaxine;"

119       "(277.57) Difluprednate;"

120 "(331.06) Eltrombopag;"

121 "(379.5) Etravirine;"

122 "(381.75) Fenofibric acid;"

123 "(383.45) Fesoterodine;"

124 "(406.35) Fosaprepitant;"

125 "(406.93) Fospropofol;"

126 "(408.85) Gadoxetate:"

127       "(509.7) Lacosamide;"

128        "(517.25) Levoleucovorin;"

129       "(604.5) Methylnaltrexone;"

130        "(742.3) Plerixafor;"

131           "(832.5) Regadenoson;"

132        "(842.17) Rilonaccept;"

133        "(845.15) Romiplostim;"

134      "(848.5) Rufinamide;"

136        "(939.5) Tetrabenazine;"

138 This Act shall become effective upon its approval by the Governor or upon its becoming law  
139 without such approval.

141 All laws and parts of laws in conflict with this Act are repealed.